



STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

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BUILDING, FIRE and PLUMBING CODES COMMITTEE SUMMARY MEETING MINUTES

LOCATION: DES Building, Room 2331
1500 Jefferson Street
Olympia, WA 98501

MEETING DATE: June 8, 2017

Agenda Items	Committee Actions/Discussion
1. Welcome and Introductions	Lack of a quorum at 11 a.m. Meeting called to order at 11:25 a.m. by Jim Tinner, Committee Chair. <u>Members in Attendance:</u> Jim Tinner, Chair; (on phone/WebEx): Andrew Klein, Vice Chair; Diane Glenn; Robert Graper; Traci Harvey; Phil Lemley; Steve Simpson <u>Staff In Attendance:</u> Tim Nogler, Managing Director; Krista Braaksma <u>Visitors Present:</u> Al Spaulding, John Williams, Ron Wright, Laurie Tebo, Mark Friedman, Pam Kentner, Bob Snyder
2. Review and Approve Agenda	The agenda was approved with changes, addition interpretation request from the city of Redmond; interpretation from Bellevue concerns I-1.
3. Review and Approve Minutes	Minutes of BFP committee meetings on 3/9 and 5/11 approved.
4. Public Comment for Items Not on the Agenda	None offered.
5. Ad Hoc Committee Report-Residential Treatment Facilities	Tim Nogler, Council staff, gives an overview of the RTF issue. In the minutes from the ad hoc committee meeting, it brings forward two significant concerns: on building code issues, the first being the single code classification for all facilities, and the second item is the interpretation of individual bedrooms within the RTF units as being separate sleeping rooms for the purpose of fire protection, as well as corridor protection and the cost for compliance is excessive and does not improve life safety, based on the operation and function of the facility, actually makes the facility less safe. That is what is presented to us in this proposal to amend the code to add language under IBC 308.3.3.1 for residential treatment facilities with 16 or fewer residents that the sleeping rooms would be collectively classified as a single sleeping unit or dwelling unit. That is the proposal that is on the table. At the ad hoc committee Al Spaulding with the Department of Health expressed concerns about substituting the full NFPA fire sprinkler system in lieu of the fire partition, based on the nature of the patients in those facilities and the staffing. John Williams added that the fire

partitions are intended to provide a level of safe shelter in the event of a fire, where the person occupying that room had no warning of fire. We also have a mechanical and energy code issues brought up by the Mechanical and Energy codes chair to allow Group I-1 condition 2 occupancies to be treated as Group R. The ad hoc committee requested from Mr. Wright cost data to verify the figure in the proposal that the fire partition would cost between \$100-200 thousand. The cost data is posted on the meeting documents page.

Jim Tinner said the ad hoc committee did not reach any conclusions, but the committee was concerned about the significant cost increase. We have the cost increments displayed, Ron would you walk us through the cost estimates?

Ron Wright reviewed the cost data for two of his RTF projects. There is a nuance that is explained in the notes, that the costs reflect changes already made for items allowed by DOH. He asked the contractor to give the base number. As a result of a meeting with DOH there was a reduction in the amount for the fire dampers of about \$26,000. The original cost for the entire project which includes two RTF with a large public space and a meeting accommodation area, the total cost for construction is \$5 million. The contractor identified all of the items that were directly a result of the fire partitions and dampers. The \$101,542 number is the contractor's estimate of the added cost to rate individual rooms instead of considering the facility one unit. That is the base cost, understanding that DOH has come back to reduce the cost, and taxes were added to that. The second page to this PDF starts with a note from the contractor for that facility. That facility has a permit for the full amount, the dampers and the fire separation. We took the original pricing and compared it to the pricing with the dampers and the fire separation. The contractor notes that it is a 17% increase in the cost of construction. The total amount was \$158,900, after taxes. The base building design estimate assumes the entire 4300 square feet is one unit.

Jim asked about the doubled cost for rough carpentry interior.

Ron explains the city of Olympia is requiring the ceilings to be one hour fire rated, because the partitions go up to the ceiling. The ceiling was a Type VB nonrated ceiling, the structural engineer asked for one additional member in the trusses for the added weight. Also to meet the fire rating the corridors are a tunnel system, which was not in the design before, and everything is completely wood framed. He did not go back on the contractors on the cost, but this is the estimate to upgrade from the base buildings. The increase is due the additional framing and support.

Jim says he doesn't think the one hour ceiling, other than the corridor, changes in the code if it is Group R-2 or Group I-1.

Ron says what is happening is the fire partition has to meet a rated floor ceiling assembly as mandated by the city of Olympia, and the current system is not a rated system and does not meet the one hour

requirement. You have to add a second layer to make a one hour rated assembly. So we are adding a second layer of drywall to effectively make a one hour assembly.

Al Spaulding asks if the Olympia project is Type VB construction. He says for fire partitions under IBC Section 708.3 Exception 2 the fire resistant rating is ½ hour. The IBC provides a reduction in the fire resistant rating to ½ hour where a fire sprinkler system is present.

Ron does not know if the existing building meets ½ hour- the city of Olympia is calling for added construction, for the ceiling assembly. That requirement is reflected in the cost number that is indicated for the drywall, there is a significant amount of extra drywall.

Jim says he doesn't know where the city is coming from requiring that for the ceiling for a Type VB, he agrees the corridor would require it. That extra number shouldn't be there except for the corridor. Ron says he can go back to the city and ask, but he doesn't know how much that particular directive is driving the numbers, he has to go back to the contractor. Jim says he can understand additional weight for 5/8 drywall.

Jim asks if Ron agrees that the fire partitions do not require dampers.

Ron says not entirely, he says he is not understanding. He said for one project, CMHC, DOH allowed savings for the dampers. The fire partition is required between the block of bedrooms, not the individual bedrooms, with one damper, which then allows for open duct work between the block of bedrooms. If each bedroom is a sleeping unit then each bedroom is required to have a one- hour separation between bedrooms. DOH allowed all fire protection between bedrooms to be eliminated, and placed one damper where the ductwork goes through to the common area. He said he does not have a reasoning for that. We are working with each sleeping unit as a single room or as a collective unit, but this feels like a hybrid. It does save money but he does not understand it.

Jim says costs seem like a significant increase. Is DOH considering each sleeping area as a separate sleeping area or are these a hybrid?

Al responds no, we are just taking advantage of the current code and the exceptions that are available for HVAC and the dampers. We provided the code references and would be happy to do it again.

Jim asked if DOH is considering each sleeping room as a separate unit. Al responds that if you have four walls and a door it is considered a sleeping unit. If you have an open sleeping pod, without the door or window, you have a difference in terms of staff observation and the characteristics of the space. We would allow that to be a collection of these spaces that are open to be considered one large sleeping room.

Ron says they are taking that under advisement for the facility in Olympia and have determined at least as a strategy to take all the

interior doors off the building and have all the rooms be open, rooms without a door. Which would then respond to that criteria and would allow us to collectively define it as one room which the point is that we feel it is kind of a trick that doesn't seem to apply to the operation of the facility because the last thing we want to do is to create a hole that we can reach into and have the residents, all with babies, in a facility that has no doors. It doesn't make sense operationally but when I go to the operator and tell them that you can have the doors you want and pay for it or you can have no doors, they are choosing no doors. They will have to work it out.

Jim asks the operator if that is a negative for them. Is there a difference with doors or no doors?

Laurie says it is absolutely a negative, but it less of a negative than paying the extra \$159,000.

Jim says he has worked through the proposed facility with his staff in great detail and found that DOH is reading the code properly. It looks like we would need a code change.

Tim says we have an amendment proposal on the table to provide this language under 308 which says "for the purpose of residential treatment facilities with 16 or fewer occupants, the sleeping areas will be considered one area."

Ron says this is the proposal we put together, adding to this, I don't want to call it a trade, this is our conversation regarding sprinkler systems, that currently these facilities are allowed to use a 13-R system, and what we added to this proposal is similar and in line with going to R-4 as in the model code which is with the 16 occupants or less, if you choose to use this you would be required to do a full NFPA 13 system which is a different system and fire protection strategy than you are currently allowed to do under the code.

Jim comments the plan uses a full NFPA 13 sprinkler system already.

Ron says the plan calls for a full NFPA 13 system for a different reason. Part of that is that is going to happen in a lot of his projects so this is not a huge issue. The cost difference between the 13R and the full 13 system is far less than the \$159 thousand. He can justify that because of the prevalence of the sprinklers systems, sprinklers in the attics and storage areas and more sprinkler coverage and so forth, this particular case is a tenant in a multi-tenant building and the adjacent tenant is a commercial dental clinic operation which requires a 13 system and there's very few fire departments that will allow a full system and a partial system in the same building so once you have a full system NFPA 13, you are good for the whole thing. It is the same issue in Centralia, because of the office space and the assembly space and the other issues that the fire marshal has determined they were going to be doing a 13 system.

Jim asks if the NFPA 13 system allows plastic pipe.

Ron says NFPA 13R does, but he is not sure about NFPA 13. He says the city of Seattle has for a long time allowed plastic pipe.

Traci says NFPA13 does allow it in certain circumstances, but you wouldn't be able to do the whole building, but you could do some.

Jim says since it is limited in where you can use it, there is probably no cost savings there.

Ron says he is doing a facility now a multi-family facility that has a 13R system in it that is all black pipe and we asked about the difference and it would have been a nice chunk of savings but it is remarkably not that much, a lot of it is getting the pipe between A to B, more so than the connection of the pipe and these guys are pretty fast and good with black pipe these days and we were surprised when he gave us a number that was pretty minimal for a 36 unit apartment building, to change to PVC. This is in already anyway so it doesn't matter.

Jim asks if it is proper to address the proposal.

Tim says yes it is on the table it was on the table for the ad hoc committee. The committee can make a decision whether to recommend this or amend it or discuss it further at the full Council tomorrow.

Jim asks if committee members on the phone or WebEx have seen this proposal.

Committee members indicated they were looking at the proposal.

Jim asked if anyone in the room had a comment on the proposal.

Al Spaulding says that as this was discussed at the ad hoc committee, that he wants folks to note for various reasons, and the ad hoc committee minutes captured some of the conversation, that DOH remains opposed to this proposal. We just don't feel this is in the best interest of public health and safety. The requirements for sleeping room separation have been longstanding in the code for probably over 20 years, and this is national code language. We don't understand why this would be an appropriate mitigation, particularly for these licensed facilities. Why wouldn't we look at doing this motels and hotels? This is a big change. It removes the passive component. Both passive and active components create in these facilities a fire safe environment. The active being the fire sprinkler system and the passive being the fire partition. These facilities are designed with seclusion rooms, these facilities in many cases are receiving individuals who have been involuntarily committed that present to the facility by way of law enforcement. It is a good point that there is a broad spectrum of facilities, we have facilities that potentially have considerably less acuity than that, it is kind of a challenge, as a state we chose to adopt a one size fits all with this occupancy. I guess I would suggest if it

would be helpful that rather than to eliminate what we believe is a core component for these facilities to have a fire safe environment, perhaps it would be more appropriate to eliminate the amendment that specifies that these types of licensed facilities are an I-1 condition 2 occupancy and we can look at the functional program and the operational components to figure out what would be an appropriate fit in terms of occupancy. We would be in favor of that; that is our suggestion.

Traci Harvey says she discussed this with John Williams of DOH at the NFPA conference in Boston. Rather than trying to make a change to a base life safety system like fire partitions which could have an impact throughout the rest of the code which could be problematic, just to remove the WAC that appears to be causing the difficulty, the only caveat is in the building department classification.

Steve Simpson, a question is to Al Spaulding, if this were to go through, would DOH sign off on these projects, even though you are against it?

Al says DOH follows the state adopted building code.

Mark Friedman asked if this is the standard in the existing code, have we been operating under this code, or has this not been enforced?

Al says fire partitions that separate sleeping and dwelling units are not new.

Jim clarifies that the new WAC adopts licensed care as Group I-1 condition 2.

Ron says there is a facility that is operating completely without a fire partition between sleeping areas, it is open and open arrangement that sleeping areas directly relate next to activity areas it is all one huge big room, the conversation that has evolved is about doors and the ability to take doorways off. In that facility one of the suggestions was to take the doors off, but under the current code that is a fire partition, we are allowed to take the closer off, which I pointed out in earlier sessions is unsafe, we can't actually take the door off, we have to have the door on, we have to have the door on with the closer or we can take the door off but the closer is there for the safety of the personnel in the facility. From a functional point of view they have not been able to fully operate.

Mark said they are down three rooms. He indicated there are safeguards for the patient population.

Traci comments about the different types of facilities, she feels this bolsters the suggestion to eliminate the existing state amendment and classify licensing care facilities according to the model code.

Tim clarifies this would mean eliminating the state amendment to IBC 308.3.3 and reverting to the model code language which includes a

group R-4 classification for buildings with an occupant load of 16 or less.

Discussion of classifying occupancies such as those requiring restraint of occupants.

Ron says he is not sure where the facilities would end up in the Group I occupancy classification.

Jim asks if projects are in existing buildings or new buildings.

Ron talks about the one in Shelton, the one in Olympia is new, the one in Bellingham is a renovation; we do both.

Jim comments that most of the increased cost is in existing buildings.

Ron says from the two he has presented that is the case.

Jim asks where do we go from here. If we go to R-4, how does that affect DOH ?

Al says that fire partitions are still required.

Jim asks how that affects Ron's projects.

Ron says it is an avenue for negotiation with local building officials. We have to get approval from both DOH and the local.

Laurie asks if the submittal will comply without the doors.

Ron says he was told that, you could consider the unit as one unit that comes out of the last two meeting we talked about doing that. It is a work around but it is incredibly awful as a program.

Laurie says she have to leave, she just wants to move forward, so far the state has not pulled their funding.

Jim says he can see some of the costs, some imposed by the jurisdictions, some by the model codes.

Diane comments that the R-4 designation doesn't do any good as far as the facility.

Jim says the solution must be more holistic, to account for both fire safety and the cost. It might be more of a long term process.

Jim asks if any of the committee members want to address Mr. Wright's proposed amendment.

Diane says can we make a recommendation that we are requesting a new code proposal?

Tim says the committee could recommend to the Council to do further code development on this issue, that is one option, and the Council can decide whether or not to move forward.

Jim asks again if anyone on the committee is interested in moving Mr. Wright's proposal forward?

Phil Lemley says Yes.

Traci say her concern with Mr. Wright's proposal is that WA state has made a point to remove R4, and there would be other pieces of the code we would have to amend to bring back and make relevant, so if we go with his proposal it is more than one line of code, we would have to go through the whole thing building and fire and bring all the relevant R4 items back, then the question would be do we just bring R4 back and provide some exceptions, so it is a bigger process and will be a time intensive endeavor to make sure all these pieces are touched. If we are going to recommend something to go in as an emergency rule, it needs to be something that could be moved through quickly and she does not see this proposal as having that. If DOH is proposing to remove would be an easier quicker path to a solution.

Motion

Jim agrees but wants to give Mr. Wright's proposal a fair opportunity. So we have someone willing to move the proposal?

Phil Lemley: so moved. Jim asks if there is a second. (no second, no comment). Motion fails.

Jim asks if the committee wants to look at code development to try and come up with a compromise

Traci thinks that is a good idea, we have discovered a problem that needs to be addressed. **She moves we develop code language for a compromise proposal. Diane seconds. Jim asks for discussion of the motion (none) and calls for a vote. All in favor, motion carries.**

Tim indicates there is one more part of this, and that is energy and mechanical code. There has been a total review of the energy code and the mechanical code to identify all the places that reference Group I-1 condition 2. A solution would be to simply put under the scope the language that references in these codes to Group R shall include Group I-2 Condition 2. In both the mechanical code and energy. So that would make them the same as Group R for the purpose of energy and mechanical requirements.

Jim asked if this is the commercial or residential energy code.

Eric Vander Mey said it would depend on whether the project was a dwelling unit or as sleeping unit. He said he would craft language for the Council meeting tomorrow.

Motion

Jim asks for a motion.

Diane moves that Eric's proposal be moved to the full Council. Steve Simpson seconds. Motion carries.

<p>6. Interpretation Requests</p> <p><i>City of Bellevue</i></p> <p><i>Motion:</i></p> <p><i>Bellingham</i></p> <p><i>Motion:</i></p> <p><i>Redmond</i></p> <p><i>Motion:</i></p>	<p>Tim introduces the interpretation request from Bellevue related to the height of Group I-1 condition 2 buildings. A state amendment under IBC section 510.2 item 6 that states Group I-1 condition 2 facilities are permitted to use the values for maximum height for Group R-2. The question is can you utilize this provision to also increase the number of stories? The answer is yes, the intent was to treat the licensed care as R-2 for the purpose of allowable height including number of stories. The second question refers to the additional story allowed for Group R-2 with stair pressurization, does this also apply to Group I-1 condition 2; again, the answer is yes.</p> <p>Diane moves approval of the interpretation; Steve Simpson seconds. The motion carries.</p> <p>Tim introduced the request, this issue was discussed at the last meeting, the proposed answer gives two options. The committee could move this to the full Council. The first question: is the occupancy classification of a self-service car wash a Group B, the answer is yes, “car wash” is a specifically listed under Group B. The second question, is an unattended self-service car wash with drive in bays considered occupied and required to be provided with public toilets. The first option, the answer is no, plumbing fixtures are based on the actual use of the building. The second option is to say “yes”, the code requires public toilet facilities in spaces intended for public use.</p> <p>Diane supports option 1 as these are facilities that are unattended for hours at a time. She moves approval of option 1. Traci seconds. Motion carries.</p> <p>Tim introduced the request, it has to do with elevator doors and the requirement for hoist way protection. The IBC requires at least three criteria be met in order for the hoist way door protection to be required. If the three criteria are not met, the hoist way protection is not required. An example is given, and the question is if all three criteria must be met for the hoist way protection to be required? The answer is yes.</p> <p>Steve moved to approve. Diane seconds. Motion carries.</p>
<p>7. Accessible Van Parking</p> <p><i>Motion:</i></p>	<p>Tim introduced the issue, House Bill 1262 directs the Council to make this amendment to the code, requiring a van parking access aisle of a minimum of 96 inches, and under the A177.1 standard the parking space can also be 96 inches, so the overall dimension remains the same. It also requires a no parking sign for the access aisle. The committee will be asking the Council to move this into rule making. As a proposed rule, we hold a public hearing on the proposed amendment.</p> <p>Steve makes a motion to move to the full council. Diane seconds. Motion carries.</p>
<p>8. Staff Report</p>	<p>Deferred to Council meeting tomorrow at 10 am.</p>
<p>9. Other Business</p>	<p>Tim explains the fire code was amended to allow exceptions to roof top access to solar photovoltaic panels. The intent was to apply to all residential, but the section heading, which is from the model code, is</p>

<p style="text-align: center;"><i>Motion:</i></p>	<p>limited to Group R-3 and excludes buildings built under the IRC. The proposed expedited amendment applies to all residential and not exclude the IRC. The exceptions would then apply to all single family residential.</p> <p>Jim recommends changing the language to Group R.</p> <p>Diane moves to approve the amendment with changing the language to Group R. Andrew Klein seconds. The motion carries.</p>
<p>8. Adjourn</p>	<p>Meeting was adjourned at 12:52 p.m.</p>